

## City/County Telecommunications Commission

### RESOLUTION 2015 - 04

#### Designation of Vancouver Community Access Media as a Public Access Cable Provider

##### Section 1. Findings

- 1.1 Section 9 of the cable television franchise agreement, effective June 4, 2013, between Comcast of Washington, V LLCC (“Comcast”), the City of Vancouver (“City”) and Clark County (“County”) allows the Grantor (City and County) to designate authorized entity or entities to manage or co-manage the Public, Educational and Government (“PEG”) Access use channels on the cable system.
- 1.2 All designated access providers (public, educational, and government) are evaluated and reviewed annually by the City/County Telecommunications Commission consistent with the provisions of Section 9 of the cable franchise agreement, Section 5.19.300 of the Vancouver Municipal Code and Clark County Code 36.12.160.
- 1.3 On July 9, 2014, the City/County Telecommunications Commission recommended to the Vancouver City Council and the Clark County Board of Commissioners (now the Board of Councilors) that Fort Vancouver Community Television (FVTV) not be re-designated as the public access provider for Vancouver and Clark County. FVTV had been serving as the public access provider since May 5, 2004. The recommendation from the Commission was adopted by the City Council and Board of Commissioners and on December 31, 2014, FVTV ceased broadcasting on the cable system.
- 1.4 On February 9, 2015 the City Council held a workshop to discuss the future of public access television. The Council requested that the Cable Office and Telecommunications Commission determine if there was a viable option for public access television services.
- 1.5 On April 23, 2015, the City of Vancouver issued a Request for Proposals (RFP) for a new public access cable television provider.
- 1.6 The City received two proposals from potential public access providers, Fort Vancouver Television (FVTV) and Vancouver Community Access Media (VCAM). After review of the proposals, VCAM was invited to make a presentation to the Commission on September 2, 2015.
- 1.7 The Cable Office criteria for a viable public access provider is an organization that can:
  - a) Commit to keeping the public access channel(s) open to all potential users, regardless of their viewpoint.
  - b) Begin providing public access services within six (6) months after designation by the City Council and Board of County Councilors as the public access provider.

- c) Schedule and perform playback of programs, produced by public access providers, on the cable system.
- d) Provide professional and technical assistance in producing public access programming.
- e) Be responsible for basic maintenance of facilities and equipment.
- f) Provide administration, oversight of facilities and enforcement of policies.
- g) Advertise/promote public access services and programming to potential contributors and the community.
- h) Present updates on services and programming to the City/County Telecommunications Commission as requested.
- i) Submit an annual report that includes hours of programming aired, hours of locally produced programming, types of programming, intended audience, etc.

1.8 After reviewing VCAM's proposal on September 2, 2015, the Commission has determined that VCAM can meet the criteria for public access designation.

**NOW THEREFORE BE IT RESOLVED:**

Section 2.

- 2.1 The City/County Telecommunications Commission recommends the designation of the Vancouver Community Access Media (VCAM) as the designated public access provider for the Comcast Vancouver/Clark County cable television system, subject to annual review by the Commission as outlined in Section 1.2 of this Resolution. VCAM would be required to begin providing services within six (6) months after designation by the City Council and Board of County Councilors as the public access provider.
- 2.2 The Commission recommends that VCAM be allocated Channel 11, on the Comcast cable system for public access use. A high-definition channel has been approved for public access in the Comcast franchise agreement and would also be available to VCAM once appropriate equipment has been secured.
- 2.3 The Commission recommends that VCAM be given first right of refusal for equipment used by the previous public access station which is currently being held in storage by the city.
- 2.4 The Commission recommends that the Cable Office make available to VCAM up to \$250,000 in PEG funds that could be used to purchase capital equipment or make capital improvements to a facility. These funds have been held in reserve by the Commission to assist a new public access station in the event a viable provider was identified.
- 2.5 A sustainable operating budget is key to the success of a public access channel therefore the Commission recommends that the City of Vancouver and Clark County each commit annual operating funds of a minimum of \$50,000 to support VCAM.
- 2.6 Staff is directed to advise the Vancouver City Council, the Clark County Board of

Councilors, Comcast, and the designated applicant of the Commission's determination by immediately forwarding them a copy of this Resolution.

APPROVED (Date): SEPTEMBER 2, 2015



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Robert Coletti, Chair, City/County Telecommunications Commission